

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:22-CV-019-KDB-DCK**

KENNETH SCOTT,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
ABOVE AND BEYOND RETAIL SERVICES, INC., and ROBERT C. ABSHER,)	
)	
Defendants.)	
)	

THIS MATTER IS BEFORE THE COURT on the “Joint Motion To Stay Case And Toll Statute Of Limitations On FLSA Claims” (Document No. 8) filed April 25, 2022. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and in consultation with Judge Bell’s chambers, the undersigned will grant the motion with modification.

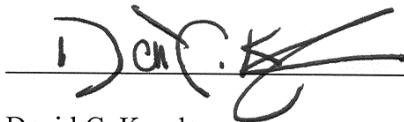
By the instant motion, the parties indicate that they “have entered into a tolling agreement that stops the statute of limitations from running on the putative collective members[’] FLSA claims while the Parties attempt to resolve this case,” and they also indicate that they “plan to attempt to negotiate a settlement of this litigation.” (Document No. 8, p. 1). The parties seek to stay this matter pending conclusion of their ongoing settlement discussions.

IT IS, THEREFORE, ORDERED that the “Joint Motion To Stay Case And Toll Statute Of Limitations On FLSA Claims” (Document No. 8) is **GRANTED with modification**. This case is **STAYED** until **May 31, 2022**.

IT IS FURTHER ORDERED that the parties shall file a Notice of Settlement, or a Joint Status Report that includes revised case deadlines, on or before **June 14, 2022**.

SO ORDERED.

Signed: April 26, 2022



David C. Keesler
United States Magistrate Judge

